CA2ON
Z 1.
-63A22

167 Silver Birch Avenue,
Toronto 13.

No: T-31

December 10, 1963.

10

Lancelot J. Smith, Esq.,
Chairman, Taxation for Ont.

Dear Sir:-

Around Dec: 2nd, I heard about you on C. F. R. B. I wonder if you could help my daughter Donna and me.

When one of the natives of Kaladar decided to sell part of his property, my daughter, who had spent many vacations in that area, painting and fishing, decided to purchase the land and build her own cabin.

We looked around at Viking Vacation pre-fabs, but they were too expensive. Donna decided to cut down some of her trees, and with the help of the former owner, Mr. Fred Kellar, and his wife, the logs were stripped and made ready. It became evident that they would need further help to raise the logs, as the tent like roof was to rest on 4 high logs — The whole structure set on cement pilings on a hillside.

A couple of weeks after work was started, and Donna was back at her work, it was reported two of the workmen were loafing on the job. Also one truck load of lumber was missing too.

Long before the cottage existed, Mr. Lesard, the assessment man, raised the assessment on her land $300. She went to his house to reason with him, to no avail. He showed her maps, from which he judged the property. She had to fight him at the Court of Revision. She asked if he had ever seen the property. He said "since he had the aerial maps it was not necessary". She argued the map was 1948 and this was 1961. At that point he backed down and her assessment remained at its former figure.

1962 Mr. Lesard raised the assessment again. He told her that $300 raise in assessment was on the partly constructed house and not on the land. He made enquiries from the local people as to whether the house was livable yet. It was not. He told them he was not going to assess the house til 1963. On figuring this out she realized, the part of the property, where he had raised the assessment, was the same part she had feought him and won about, the year before at the Court of Revision.

1962 — Donna went to Revision Court again. He told the Court she had considerable acreage of cleared land for farming. This she pointed out was false. After some argument the Court reduced it to half. Just as the case was about to be dismissed, Mr. Lesard said "I have not put the house on yet; so now I can assess the house for anything I want and there is nothing you can do about it."

Our property consists of four adjoining lots. The lot her house stands on was not even on the same roll number as she appealed. It is assessed separately being in a different concession.

Mr. Lesard said "because she did not completely win her case; he could add on to anything else she owned and there was nothing she could do about it. Therefore, I am going to add $110, on the lot the house stands on, and the house for $980.00.

She went to a higher court at Kaladar. I was unable to go with Donna, as I am a shut-in, and was looking after my 95 year old Father who left us in September.

One man, my daughter met, said when Mr. Lesard came to their house, his wife said the taxes were shameful; and Mr. Lesard said "if she did not keep her mouth shut he would raise their assessment another $100."

It is threats like these that keep the people in a state of fear and afraid to appeal or unite or even go along as witnesses. The general threat is if you appeal and lose at the Court of Revision, Mr. Lesard can then raise your taxes for spite, so the natives are afraid to make a second attempt. I wish you could talk to the United Minister at Kaladar.

We called on many of the residents, who all claimed they were taxed for first class dwellings. It seems they do not even know the difference. The

Protestant element from Kaladar to Northbrook, where we called, had not a good word to say for Mr. Lesard. Only Mr. and Mrs. Peterson, a former assessment man for 15 yrs., retired through illness, but now tax collector would stand up for us. He and Mrs. Peterson even made the two mile road in to our cottage to see for themselves. Neither Kaladar nor Kennebec will do anything to remove the boulders from the road in. We do not believe Mr. Lesard has ever seen our place as a mile out at Kellar's old farmhouse there is a locked gate and Mr. Kellar has never lent Mr. Lesard a key.

Perhaps I forgot to tell you that the cabin is constructed of the cheapest of cull lumber purchased from Sawyer Stoll. The glass windows, Donna hauled from a Toronto wrecker. The shingles (blue) came from one of our old houses. At first glance this pretty little cabin is quite attractive, but anyone who knows construction can judge for himself. The crude verandah is just made of scrap. The whole tent-like construction is really a barn; but with Donna's artistic talent, and my late Mother's old furniture, she has created this remote artist's retreat on the shore of a duck pond.

When Donna received her notice to go before the Judge at Kaladar for 1962 assessment, she took the day off from work and made the trip on a cold snowy day, only to find when she had waited there for some time, that the judge was ill with the "flu", and no court would be in session. Yet no attempt or enquiry was made at Kaladar to reach her by telephone. When she went again, the judge from Napanee said "she had a nerve to come into court without a lawyer or even a witness". She lost her case. She thought that even if he refused to settle her dispute he could of at least had the matter investigated. She was appalled that such an injustice could happen to a Canadian in a Canadian Court.

We got in touch with Mr. Hunter of the Toronto Office; and he gave us some good pointers. This year we went to other cottages for comparison, with the help of Mr. Peterson, who has the tax books.

One of the Viking style homes was in a resort area. It has wings built out each side of it, giving it considerable more floor space. The road in is excellent. It has electricity and modern kitchen and bathroom. It is assessed for $900 andis first class lumber.

The second "pre-fab" we had for comparison only slightly smaller was $650. While Donna's barn-like structure with no rooms is $980. When the time allotted, at the court of revision 1963, when we thought our case cinched, was just about up — one man Mr. Blackwell said "I'm a contractor, her place could be fixed up to the tune of $4,000." I did not hear anyone second it; but Donna said someone did; and that closed our case. I was shocked. Incidentally I have just heard Mr. Blackwell, a new man, was defeated as councillor recently. Mr. Hunter said there should have four oppose us, but this was not so. Mr. Clark Benn, who sat at the head of the table said "I think we are all agreed Donna's taxes are too high." After Blackwell overran the meeting I think we were all a little bewildered. They were all willing to go see the other cottages but none will venture down our road.

Mr. Hunter tells us we must go again before the judge before we can get an investigation going, from Toronto. Would it be possible for you to send a man to the court just to listen in? Believe me the state of affairs in the Kaladar, Northbrook district needs a real investigation. The people have become like scared rabbits. We need your help.

Sincerely,

(Mrs.) T. Taylor Martinez

OX. 1-1642

P. S. I forgot to mention Donna's cabin is situated in scrub bush. It has no plumbing and is miles from electricty. We have a wood stove and a good stream about 50' from the cabin.

T. T. M.